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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,403	12/31/2003	Kim Reniska	59.0067	9002
23718	7590	06/14/2005	EXAMINER	
SCHLUMBERGER OILFIELD SERVICES 200 GILLINGHAM LANE MD 200-9 SUGAR LAND, TX 77478			MCELHENY JR, DONALD E	
			ART UNIT	PAPER NUMBER
			2857	

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,403

Applicant(s)

RENISKA, KIM

Examiner

Donald E. McElheny, Jr.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☒ Claim(s) 14 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04-06-04 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>03-03-04</u> . | 6) <input type="checkbox"/> Other: ____ |

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1. Claim 14 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 13. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).
2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: The “depth correction logic means” is not found in the written specification or drawings. No logic circuit or physical structural means is found to be seen disclosed to support such claimed subject matter. This structure is clearly claimed as being separate from and connected to the “CPU”, so it cannot be the computer structure.
3. The drawings are objected to as being informal for reasons set forth by the Office Draftsperson on form PTO-948 and for not meeting the requirements under 37 CFR 1.83 (a) and 1.84.

See above paragraph 2 remarks for additional reasoning for this drawing objection.

Applicant is reminded that each and every claim element must be found in the drawings as required by 37 CFR 1.83(a), 1.84(h) & (j), and MPEP 608.02(d), and also the drawings and specification must describe, show and correspond for all components shown or discussed as required by 37 CFR 1.84(p). The drawings must show every feature of the invention specified in the claims, including not only claimed structure but

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also all method, algorithm and program related steps within some form of flowchart(s). For mathematical related algorithms see 37 CFR 1.84(d). If a lack of correspondence between the claims and figures is merely a matter of applicant using different language in the claims than that found in the figures, then the intended correlation, basis and support for their equivalence must be shown for where claim elements exist within the figures and written disclosure. Some minimal flowchart diagram is required to depict the gist of the method claims and their essential inventive features.

Furthermore, the various depicted items must be referenced by reference numerals and corresponding numerals occur in the written description where the shown subject matter is described in the written specification. All material items depicted in the figures must be referenced in the written specification, and vice-versa.

If amendment of the figures is required then note no new matter is permitted to be added to the drawings.

Applicant is advised that when submitting a proposed drawing correction any proposal by applicant for amendment of the drawings to cure defects must consist of two parts:

- a) A separate letter to the Draftsman in accordance with MPEP 608.02; and
- b) A print or pen-and-ink sketch showing changes in red ink in accordance with MPEP 608.02(v).

Appropriate and timely correction of the drawings is required in response to this Office action or this application will be held abandoned.

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4. Claims 1-15 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. See above paragraphs 2 and 3. The enabling and embodiment basis for interpretation of the "logic means" structure is not found enabling disclosed, shown, and described in the specification for support of these claims. If an adequate enabling disclosure basis can be established, the subject matter would still be indefinite as to its proper set forth description and definitions within the specification as originally filed.

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over McRobbie et al. (6,145,378).

Take note that the interpretation of the claims, their supportive basis and intent, are at question for reasons given supra. As best as can be determined from their indefinite and/or non-enabling basis, the claims are deemed met by the teachings of this reference (as well as others of record of similar teachings) as it teaches the same problems associated with wireline logging and adequately determining the depth position measurement and speed of lowering or raising of the logging tool, and correlation of sensor measurements with models and having accurate depth

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information. From the embodiment using two pressure sensors to establish logging tool speed, the correction of that continuous real time speed data, the depth information is established therefrom and inherently thus a "depth correction". Those skilled in the art would have seen as logical equivalents the mathematical variations in correlation of position of the plural sensors and their pressure readings and their alternative differences between measuring one position and pressure of one sensor and moving the second sensor to match, the variation of direction of the tool (which is taught in the reference by discussion of raising or lowering mode options), and the setting of the plural sensors to match or not for specific depth positions of each due to the known distances on the tool assembling or wire line cable.

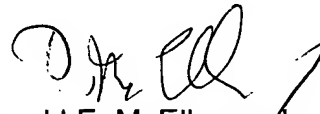
7. Other references are cited as teaching the state of the prior art and/or also teaching the same problems, motivations, and use of plural sensors for correction and correlation of logging tool measurements among plural types of sensors and substrata models.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald McElheny, Jr. whose telephone number is 571-272-2218. The examiner can normally be reached on Monday-Thursday from 7:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoff Marc, can be reached on weekdays at telephone number 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Donald E. McElheny, Jr.
Primary Examiner
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